

MEMORANDUM

Agenda Item No. 11(A)(13)

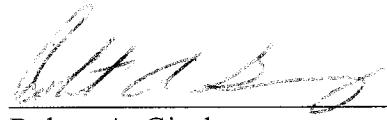
TO: Honorable Chairman Joe A. Martinez
and Members, Board of County Commissioners

DATE: July 7, 2005

FROM: Robert A. Ginsburg
County Attorney

SUBJECT: Resolution directing the
County Manager to create
a program to increase
monitoring of sexual offenders

The accompanying resolution was prepared and placed on the agenda at the request of Commissioner Rebeca Sosa.


Robert A. Ginsburg
County Attorney

RAG/jls



MEMORANDUM

(Revised)

TO: Honorable Chairman Joe A. Martinez
and Members, Board of County Commissioners

DATE: July 7, 2005

FROM: Robert A. Ginsburg
County Attorney

SUBJECT: Agenda Item No. 11(A)(13)

Please note any items checked.

_____ "4-Day Rule" ("3-Day Rule" for committees) applicable if raised

_____ 6 weeks required between first reading and public hearing

_____ 4 weeks notification to municipal officials required prior to public hearing

_____ Decreases revenues or increases expenditures without balancing budget

_____ Budget required

_____ Statement of fiscal impact required

_____ Bid waiver requiring County Manager's written recommendation

_____ Ordinance creating a new board requires detailed County Manager's report for public hearing

_____ Housekeeping item (no policy decision required)

☒ No committee review

Approved _____ Mayor
Veto _____
Override _____

Agenda Item No. 11 (A) (13)
7-7-05

RESOLUTION NO. _____

RESOLUTION DIRECTING THE COUNTY MANAGER TO
CREATE A PROGRAM TO INCREASE MONITORING OF
SEXUAL OFFENDERS AND SEXUAL PREDATORS AND TO
ESTABLISH A SCHEDULE FOR IMPLEMENTATION OF THE
PROGRAM

WHEREAS, the Board of County Commissioners (the "Board") is concerned about convicted sexual offenders and sexual predators who are released into the community and repeat the unlawful acts for which they had originally been convicted; and

WHEREAS, the recidivism rate for released sexual offenders and sexual predators is alarmingly high, especially for those who commit crimes against children; and

WHEREAS, the Board desires to protect the health, safety and welfare of children from sexual offenders and sexual predators; and

WHEREAS, heightened monitoring of sexual offenders and sexual predators will provide additional protection of children from known sexual offenders and sexual predators; and

WHEREAS, the Board further desires to create a sexual offender and sexual predator monitoring program that will closely monitor convicted sexual offenders and sexual predators who reside in Miami-Dade County,

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA:

Section 1. The County Manager is directed to develop a program, through the Miami-Dade Police Department, to monitor both convicted sexual offenders and sexual predators who are permanent or temporary residents of the unincorporated areas of Miami-Dade County.

Section 2. The County Manager is further directed to work cooperatively with other jurisdictions to locate sexual offenders and sexual predators who fail to register as required by law.

Section 3. The County Manager shall consider adopting the following processes and procedures when structuring and implementing a sexual offender and sexual predator monitoring program that provides maximum protection to the residents of Miami-Dade County particularly, children:

- (a) Evaluation of existing sexual offender and sexual predator monitoring programs established and implemented by law enforcement agencies in other jurisdictions;
- (b) Verification of residences and driver's licenses or other identification of sexual offenders and sexual predators;
- (c) Identification and location of sexual offenders and sexual predators who have violated registration requirements or terms of supervision;
- (d) Assessment of neighborhoods to determine the appropriate type and extent of notification to residents impacted by sexual offenders or sexual predators living in a particular neighborhood;
- (e) Notification to residences that a sexual offender or sexual predator resides near a school, child care facility, public school bus stop, park, youth recreation facility, or other place where children regularly congregate;
- (f) Creation of a sexual offender and sexual predator information file which should include, without limitation, information obtained from the Department of Corrections, the Florida Department of Law Enforcement ("FDLE") offender database, the criminal court system,

and any additional information that may be available locally or through the internet, which may assist in locating and monitoring sexual offenders or sexual predators;

(g) Assignment of a police officer to each designated sexual offender or sexual predator according to police districts;

(h) Requirement that assigned officers contact sexual offenders and sexual predators for residency verification, and other investigative activities deemed appropriate by the assigned officer or the Police Department; and

(i) Assignment of officers experienced in monitoring sexual offenders and sexual predators to coordinate and oversee the monitoring program, serve as liaisons with officers in the police districts, facilitate community notification, and track address verification and other appropriate data.

Section 4. Within 60 days of the effective date of this Resolution, the County Manager shall report to the Community Outreach, Safety & Healthcare Administration Committee the details of a comprehensive sexual offender and sexual predator monitoring program, including a schedule for implementation of the program.

The foregoing resolution was sponsored by Commissioner Rebeca Sosa and offered by Commissioner _____, who moved its adoption. The motion was seconded by Commissioner _____ and upon being put to a vote, the vote was as follows:

Joe A. Martinez, Chairman	
Dennis C. Moss, Vice-Chairman	
Bruno A. Barreiro	Dr. Barbara Carey-Shuler
Jose "Pepe" Diaz	Carlos A. Gimenez
Sally A. Heyman	Barbara J. Jordan
Dorrin D. Rolle	Natacha Seijas
Katy Sorenson	Rebeca Sosa
Sen. Javier D. Souto	

The Chairman thereupon declared the resolution duly passed and adopted this 7th day of July, 2005. This resolution shall become effective ten (10) days after the date of its adoption unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.

MIAMI-DADE COUNTY, FLORIDA
BY ITS BOARD OF
COUNTY COMMISSIONERS

HARVEY RUVIN, CLERK

By: _____
Deputy Clerk

Approved by County Attorney as
to form and legal sufficiency. _____

Abigail Price-Williams